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and Inspira Health Network, Inc.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT NEW JERSEY**

BOBBI POLANCO,
on behalf of herself and all others similarly situated,

Plaintiff,

- v -

OMNICELL, INC.; SOUTH JERSEY HEALTH
SYSTEM, INC.; INSPIRA HEALTH NETWORK,
INC.; SENTARA HEALTHCARE, INC.; BOARD
OF REGENTS OF THE UNIVERSITY OF
MICHIGAN; DOE'S 1-50; ABC Corporations 1-50;
and XYZ Partnerships and Associations 1-50,

Defendants.

Civil Action No. 13-1417-NLH-KMW

**Document filed electronically
Return Date: July 1, 2013**

Oral Argument Requested

**NOTICE OF MOTION TO
DISMISS UNDER RULE 12(b) FOR
LACK OF STANDING OR, IN THE
ALTERNATIVE, FOR FAILURE
TO STATE A CLAIM**

PLEASE TAKE NOTICE that on July 1, 2013, or on such other date set by this Court, Defendants Inspira Health Network, Inc. and South Jersey Health System, Inc. ("SJH"), now known as Inspira Health Network, Inc. ("Inspira"), will move before the Honorable Noel L. Hillman, United States District Judge, at the United States District Court, Mitchell H. Cohen Building & United States Courthouse, 4th & Cooper Streets, Camden, NJ 08101, for an Order, pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), dismissing all claims asserted against SJH and

Inspira in Plaintiff's First Amended Complaint with prejudice. Plaintiff has not pled facts that show an injury-in-fact and, therefore, has no standing under Article III of the United States Constitution to bring this suit. In the alternative, Plaintiff has failed to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that, in support of their Motion, SJH and Inspira will rely upon their accompanying Memorandum of Law in Support of Motion to Dismiss By Defendants South Jersey Health System and Inspira Health Network.

PLEASE TAKE FURTHER NOTICE that the Motion is being made returnable on July 1, 2013 and that oral argument is requested.

PLEASE TAKE FURTHER NOTICE that a proposed form of order granting the requested relief is submitted herewith.

Dated: New York, New York
May 31, 2013

s/ Robert D. Balin
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